UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,880	09/11/2003	Gary J. Verdun	016295.1421 (DC-05148)	5013

23640 7590 07/13/2007

BAKER BOTTS, LLP
910 LOUISIANA
HOUSTON, TX 77002-4995

EXAMINER	
TAN, ALVIN H	

ART UNIT	PAPER NUMBER
2173	

MAIL DATE	DELIVERY MODE
07/13/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/659,880	VERDUN ET AL.	
	Examiner	Art Unit	
	Noble S. Wong	2193	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *9/11/03*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11 September 2003* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *09/11/03*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 94 in Fig. 2. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

2. Claim 22 is objected to because of the following informalities: "selectively fix" is inconsistent terminology. In the specification and claim 13, the term "lock" is used. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 4, 6, and 17 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4 recites the limitation "the information handling system". There is insufficient antecedent basis for this limitation in the claim.

Claim 6 recites the limitation "the component control". There is insufficient antecedent basis for this limitation in the claim. During this action, it is understood as "the related component control".

Claim 17 recites the limitation "the performance control". There is insufficient antecedent basis for this limitation in the claim. During this action, claim 17 is understood to be dependent to claim 14 (i.e. "The information handling system of claim 14...")

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-3, 5-12, 14-16, and 18-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Barrus (US Patent # 6,192,480 B1).

As to claim 1, Barrus discloses a method for communicating the consequences of a user preference setting on related components, comprising:

- displaying a component control (CPU speed dial 60) for a selected component (processor 32), the component control operable to effect a user preference setting concerning the selected component (i.e. see col. 5 line 65 – col. 6 line 35);
- and displaying an operating status (i.e. the amount of charged-time left on time indicator 64) for a component (battery 26) related to the selected component, the operating status of the related component resulting from effecting the user preference setting on the selected component (i.e. see col. 5 line 27 – col. 6 lines 53).

As to claim 8, Barrus discloses an information handling system, comprising:

- a memory (memory 34);
- a processor (processor 32) operably coupled to the memory;
- a plurality of components (i.e. display 22 and battery 26) operably coupled to the memory and the processor, each component having an operating status (i.e. display brightness dial 56, time indicators 64 for Battery 1 and Battery 2);
- a display device (display 22) operably coupled to the memory and the processor;
- and a program of instructions (applications 36) storable in the memory and executable by the processor,
    - the program of instructions operable to display (visual interface 50 displayed on display 22) the operating status (CPU Speed dial 60) for a first component (processor 32),
    - receive a desired modification in operation (i.e. using CPU speed dial 60 see col. 5 line 66 – col. 6 line 16) for the first component,
    - determine (i.e. see col. 5 lines 27-44) the operating status (i.e. the amount of charged-time left in batteries 26 shown in time indicators 64) for each operationally linked component (batteries 26) resulting from the modification in operation (col. 6 line 17-66) for the first component,
    - and display on the display device the operational status (CPU speed dial 60) for the first component and at least one operationally linked component (i.e. time indicator 64 for batteries 26).

As to claim 18, Barrus discloses a computer program (visual interface 50), stored on a tangible storage medium (memory 34), for use in communicating the effects of user preference settings in an information handling system, the program including executable instructions that cause a computer to:

- define relationships between a plurality of information handling system components (i.e. see col. 5 lines 52-65);

- display at least one performance control (CPU speed dial 60), the performance control operable to effect at least one desired change in operation of a configurable information handling system component (i.e. see col. 6 lines 17-35);
- receive, through the at least one performance control (CPU speed dial 60), a desired change (i.e. "The user may adjust the position of the hand 62 by positioning a mouse pointer (not shown) over the hand 62, depressing the mouse button, and sliding the pointer to move the position of the hand 62." See col. 6 lines 7-16) in operation of the configurable information handling system component;
- calculate, based on the defined relationships, effects (i.e. see col. 7 lines 42-55) on one or more related information handling system components resulting from the desired change in operation of the configurable information handling system component;
- and display an operating status for the related information handling system components resulting from effecting the desired change (CPU speed dial 60).

As to claim 2, Barrus teaches the method of claim 1, further comprising displaying an operating status (CPU speed dial 60) for the selected component (processor 32) and each related component (i.e. batteries 26), the operating status (i.e. the amount of charged-time left in batteries 26 shown in time indicators 64) of each component reflecting the consequences of effecting the user preference setting on the selected component (i.e. see col. 6 lines 17-66).

As to claim 3, Barrus teaches the method of claim 1, further comprising determining (i.e. see col. 5 lines 27-44) the operating status (i.e. the amount of charged-time left in batteries 26 shown in time indicators 64) of a related component (batteries 26) resulting from effecting the user preference setting (CPU speed dial 60) on the selected component (processor 32) based on user defined component relationships (i.e. see col. 5 lines 52-65).

As to claim 5, Barrus teaches the method of claim 1, further comprising displaying (on display 22) a plurality of component controls (visual interface 50), each of the plurality of component controls (i.e. hard drive powerdown-time dial 54, display

brightness dial 56, and CPU speed dial 60) corresponding to a respective component (i.e. hard drive 35, display 22, processor 32) and operable to effect a user preference setting on its respective component (i.e. see col. 5 line 66 – col. 6 line 16).

As to claim 6, Barrus teaches the method of claim 1, further comprising

- displaying (on display 22) an operating status for a plurality of related components (visual interface 50);
- displaying a component control (display brightness dial 56) for at least one of the related components (display 22);
- and adjusting the operating status (i.e. the amount of charged-time left on time indicator 64) of the plurality of related components substantially simultaneously with an adjustment of the [related] component control (i.e. see col. 1 lines 33-40).

As to claim 7, Barrus teaches the method of claim 1, further comprising communicating the user preference setting to a device manager (power management utility process 42), the device manager operable to adjust operation of the selected component in accordance with the user preference setting (i.e. see col. 5 lines 51-65).

As to claim 9, Barrus teaches the information handling system of claim 8, further comprising the program of instructions operable to define the operational links between components (i.e. see col. 8 lines 31-52).

As to claim 10, Barrus teaches the information handling system of claim 9, further comprising the program of instructions operable to ascertain configuration of the information handling system to define the operational links between components (i.e. see col. 8 lines 31-52).

As to claim 11, Barrus teaches the information handling system of claim 9, further comprising the program of instructions operable to define the operational links between components in accordance with user supplied parameters (i.e. see col. 9 lines 28-40).

As to claim 12, Barrus teaches the information handling system of claim 9, further comprising the program of instructions operable to calculate the effects (i.e. see col. 7 lines 42-55) resulting from the modification in operation according to the defined operational links (i.e. see col. 8 lines 31-52).

As to claim 14, Barrus teaches the information handling system of claim 8, further comprising the program of instructions operable to display (on display 22) a plurality of performance controls (visual interface 50) the performance controls operable to effect a modification in operation (i.e. see col. 8 lines 31-52) of an associated component (i.e. processor 32) and display the operating status for one or more components related to each performance controls (i.e. the amount of charged-time left on time indicator 64).

As to claim 15, Barrus teaches the information handling system of claim 8, further comprising the program of instructions operable to implement the modification in operation (i.e. see col. 5 line 65 – col. 6 line 35).

As to claim 16, Barrus teaches the information handling system of claim 8, further comprising the program of instruction operable to substantially simultaneously display the operating status (CPU speed dial 60) for the first component (processor 32), receive the desired modification in operation (i.e. using CPU speed dial 60 see col. 5 line 66 – col. 6 line 16) for the first component, and display on the display device (display 22) the operational status for the first component and at least one operationally linked component (i.e. the amount of charged-time left on time indicator 64).

As to claim 19, Barrus teaches the computer program of claim 18, further operable to display a performance control for each configurable information handling system component (visual interface 50).

As to claim 20, Barrus teaches the computer program of claim 19, further operable to simultaneously display (visual interface 50 on display 22) the operating status (i.e. hard drive powerdown-time dial 54, display brightness dial 56, CPU speed dial 60) of each information handling system component (i.e. hard drive 35, display 22, processor 32) related to the configurable information handling system components.

As to claim 21, Barrus teaches the computer program of claim 18, further operable to define the relationships between the plurality of information handling system components based on performance data for the current information handling system configuration (i.e. see col. 5 lines 52-65).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 4 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barrus (US Patent # 6,192,480 B1) in view of Dunstan et al. (US Patent #5,560,022).

As to claim 4, Barrus teaches the method of claim 1 (see claim 1 above), further comprising determining the operating status (i.e. the amount of charged-time left in batteries 26 shown in time indicators 64) of a related component (batteries 26) resulting from effecting the user preference setting (CPU speed dial 60) on the selected component (processor 32) but does not teach where the determination is based on component behavior observed during operation. Dunstan teaches where the

determination of the operating status is based on component behavior observed during operation (i.e. "If enough power is not available, then the power budgeter 240 generates warning indications to the user and begins to "load shed" by powering down targeted components and staggering certain tasks to reduce the temporal demand from the battery resource," see col. 12 lines 1-23)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have utilized the determination of Dunstan in place of Barrus "to provide such a power management system with extremely flexible and programmable power management policies." (see col. 2 lines 1-4)

As to claim 17, Barrus teaches the information handling system of claim [14] (see claim 14 above), but does not teach the performance control representing a component control for a software module, the software module responsible for controlling a plurality of operationally linked component parameters. Dunstan teaches the performance control representing a component control for a software module (power management coordinator 100), the software module responsible for controlling a plurality of operationally linked component parameters (i.e. multiple power management components 210-290 see col. 8 lines 12-34).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have utilized a performance control representing a component control for a software module as taught by Dunstan in place of a performance control of Barrus "to provide a power management system and interface for a computer system that responds to and manages add-in devices that are integrated with the system by a user" (i.e. see col. 1 line 62 - col. 2 line 12).

9. Claims 13 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barrus (US Patent # 6,192,480 B1) in view of Roshal (WINRAR 2.50).

As to claim 13, Barrus teaches the information handling system of claim 9 (see claim 9 above), but does not teach the program of instructions operable to lock the operating status of at least one component such that modification of one or more related components is limited by the defined operational links and the operating status of the locked component. Roshal teaches the program of instructions operable to lock the operating status (progress bar) of at least one component (extraction of a file in a .rar archive) such that modification (extraction) of one or more related components (other files in the .rar file) is limited by the defined operational links (location of the file within the archive) and the operating status of the locked component (password protected file).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have utilized the program of instructions operable to lock the operating status of at least one component such that modification of one or more related components is limited by the defined operational links and the operating status of the locked component of Roshal in place of the program of instructions of Barrus to prevent unauthorized access to the contents of the archived file.

As to claim 22, Barrus teaches the computer program of claim 18 (see claim 18 above) but does not teach to selectively fix the operating status of one or more configurable information handling system components. Roshal teaches to selectively fix (password protect) the operating status (progress bar) of one or more configurable information handling system components (files containing data archived in a .rar file).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have utilized the computer program to selectively fix the operating status of Roshal in place of the program Barrus, "to provide such a system that is flexible and easily responds to new devices added to or removed from an existing system. It is also an object of the present invention to provide such a power management system with extremely flexible and programmable power management policies." (See col. 1 line 62 - col. 2 line 12)

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Gigabyte Technology Co. has a computer program for the overclocking of its motherboards called EasyTuneIII. This is included in its GA-60XM7E motherboard, reviewed by www.xbitlabs.com on 17 August 2000. This program discloses an operating status of a processor with a performance control to adjust the front side bus (fsb). One of ordinary skill in the art knows that as the fsb is increased, the faster the processor runs using the equation: processor speed = fsb * multiplier (of the processor).

Also, Gigabyte Technology Co. also has a bios program to adjust performance features of the operation of its computers. Here it discloses a performance control for the Vcore of the processor and a corresponding operating status (p. 51-52). There is also an operating status of the CPU temperature. One of ordinary skill in the art knows that if there is more voltage going to the processor, the warmer it operates.

Inquiries

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Noble S. Wong whose telephone number is (571) 270-1044. The examiner can normally be reached on M-F 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chanh Nguyen can be reached on (571) 272-7772. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NSW

Noble Wong

1 June 2006

CHANH NGUYEN
PRIMARY EXAMINER